

By: 

H.B. No. 1000

A BILL TO BE ENTITLED

AN ACT

relating to the registration of a manufactured home community with the Texas Department of Housing and Community Affairs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 94, Property Code, is amended by adding Section 94.013 to read as follows:

Sec. 94.013. REGISTRATION; FEE. (a) A landlord shall:

(1) register a manufactured home community with the manufactured housing division of the Texas Department of Housing and Community Affairs in the manner prescribed by rule by the Manufactured Housing Board of the division; and

(2) pay to the division an annual registration fee in the amount of \$200 for each manufactured home community location.

(b) The registration fee is due on the date the landlord initially registers the manufactured home community and on each anniversary of that date. The division may assess a late fee against a landlord who fails to timely pay the registration fee.

(c) The division shall:

(1) prescribe and distribute forms for registration of a manufactured home community under this section; and

(2) using field office personnel or other appropriate means, notify manufactured housing trade associations and any known manufactured home communities of the registration requirement under this section.

1 SECTION 2. Section 94.053(c), Property Code, is amended to
2 read as follows:

3 (c) A lease agreement must contain the following
4 information:

5 (1) the address or number of the manufactured home lot
6 and the number and location of any accompanying parking spaces;

7 (2) the lease term;

8 (3) the rental amount;

9 (4) the interval at which rent must be paid and the
10 date on which periodic rental payments are due;

11 (5) any late charge or fee or charge for any service or
12 facility, or any fee charged in connection with registration of the
13 manufactured home community under Section 94.013;

14 (6) the amount of any security deposit;

15 (7) a description of the landlord's maintenance
16 responsibilities;

17 (8) the telephone number of the person who may be
18 contacted for emergency maintenance;

19 (9) the name and address of the person designated to
20 accept official notices for the landlord;

21 (10) the penalty the landlord may impose for the
22 tenant's early termination as provided by Section 94.201;

23 (11) the grounds for eviction as provided by
24 Subchapter E;

25 (12) a disclosure of the landlord's right to terminate
26 the lease agreement if there is a change in the land use of the
27 manufactured home community during the lease term as provided by

1 Section 94.204;

2 (13) a disclosure of any incorporation by reference of
3 an addendum relating to submetering of utility services;

4 (14) a prominent disclosure informing the tenant that
5 Chapter 94, Property Code, governs certain rights granted to the
6 tenant and obligations imposed on the landlord by law;

7 (15) if there is a temporary zoning permit for the land
8 use of the manufactured home community, the date the zoning permit
9 expires; and

10 (16) any other terms or conditions of occupancy not
11 expressly included in the manufactured home community rules.

12 SECTION 3. (a) The manufactured housing division of the
13 Texas Department of Housing and Community Affairs shall initially
14 prescribe and distribute registration forms and provide the notice
15 required by Section 94.013, Property Code, as added by this Act, not
16 later than the 60th day after the effective date of this Act.

17 (b) The landlord of a manufactured home community that
18 exists on the effective date of this Act shall register the
19 community location with the manufactured housing division, as
20 required by Section 94.013, Property Code, as added by this Act, not
21 later than the 60th day after the date the division initially
22 distributes the registration forms prescribed under that section.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2005.

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February 10, 2005
FEB 14 2005

Filed with the Chief Clerk

Read first time and referred to Committee on Urban Affairs

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by a (viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)